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**To:** 'microsoft.atr(a)usdoj.gov'  
**Date:** 1/23/02 12:02pm  
**Subject:** Microsoft Settlement

I do not agree with the proposed final judgement in the Microsoft case. It is true the the proposed judgement will lift some barriers on OEMs, it does not take into account the changing business model of Microsoft. Microsoft, with its new .NET technology, will be starting its subscription service, which will require people to "pay" for a product that is many years old, and could potentially contain very little new material.

Any third party application that is made to run on the OS will be subject to this subscription, whether or not the third party software requires a subscription of its own. So, a third party application that is made to run indefinitely, will be subject to the term limits under Microsofts subscription. This is wrong. Third Party applications that have no term limits, and should be accessable forever, independent of the OS.

The final judgement does not even mention this, and hopes to solve the problems of yesterday, with OEM licensing and releasing APIs to the Microsoft OS. Until the judgement takes into account all aspects of the Microsoft business (past and future) it needs to be reworked.

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